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(1762

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Request For Continued Examination (RCE) Transmittal Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/885,642
	Filing Date	06/20/2001
	First Named Inventor	DARRELL KELSOE
	Art Unit	1762
	Examiner Name	ERMA C. CAMERON
	Attorney Docket Number	

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____

ii. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other _____

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. ☐ Deposit Account No. _____

i. ☐ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other _____

b. ☒ Check in the amount of \$ 385, \$55, and \$210 enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print/Type)	GREGORY M. FRIEDLANDER	Registration No. (Attorney/Agent)	31,511
Signature		Date	11/18/03

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.	
Name (Print/Type)	GREGORY M. FRIEDLANDER
Signature	
Date	11/18/03

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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PATENT
AMENDMENT UNDER 37 C.F.R. 1.114
GROUP 1762
DOCKET NO.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Darrell Kelsoe Group Art Unit: 1762
Serial No.: 09/885,642 Examiner: E. Cameron
Filed: June 20, 2001 Date Filed: 11/18/2003

For: **PROCESS FOR TREATING WOOD AND PRODUCTS FROM TREATED WOOD**

Amendment Under 37 C.F.R. 1.116 and 1.114

The Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

Applicant files this Amendment pursuant to 37 CFR 1.114 and Under 37 C.F.R. 1.116 in response to the final Office Action dated June 18, 2003, and as an amendment in conjunction with an RCE filed in conjunction herewith. This amendment is timely-filed two months extended. The extension fee along with a request for an extension accompanies this response. Also filed herewith is a request pursuant to 37 CFR 1.114 Request for Continued Examination (RCE) along with the appropriate fee. The applicant is a small entity. The Examiner entry and consideration of this Amendment is respectfully requested.

In the original specification, claims 72-78, 80-101 and 104-118 were pending. All remaining claims (79,102 and 103) were withdrawn as applying to non-elected species. In the prior response claim language was suggested in order to eliminate \$112 problems. These